

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION

LIBERTE CAPITAL GROUP,

Plaintiff,

Case No. 5:99 CV 818

-vs-

O R D E R

JAMES A. CAPWILL, et al.,

Defendant.

KATZ, J.

This matter is before the Court on the CRG Receiver's Motion for Authorization to Make a Second Distribution to Investors. The Court recognizes that the Order adopting a pro rata distribution methodology for funds in the CRG Receivership (Doc. No. 2219) is now a final Order, and that there are currently sufficient cash assets to support a disbursement of funds without jeopardizing the stability of the CRG Receivership estate.

For the reasons stated in the CRG Receiver's memorandum in support, the Court agrees that a second *pro rata* distribution of funds to those investors who have recovered at least a percentage of their investment to date would promote equity among the investor-beneficiaries without jeopardizing the maximization of the remaining non-cash assets in the Receivership Estate for the benefit of all CRG investors.

Therefore, the Court grants the Receiver's Motion (Doc. No. 2414) for a Second Distribution to CRG Investors.

IT IS SO ORDERED.

s/ David A. Katz  
DAVID A. KATZ  
SENIOR U. S. DISTRICT JUDGE